

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9

Case No. 13-53846

Hon. Steven W. Rhodes

**NOTICE OF PROPOSED ORDER APPROVING THE  
STIPULATION MODIFYING DEADLINE FOR THE RETIREE  
ASSOCIATION PARTIES TO FILE BRIEF IN SUPPORT OF  
CONFIRMATION**

**PLEASE TAKE NOTICE OF THE FOLLOWING:**

The Detroit Retired City Employees Association (“DRCEA”), the Retired Detroit Police and Fire Fighters Association (“RDPFFA”), Donald Taylor, individually and as president of the RDPFFA, and Shirley V. Lightsey, individually and as president of the DRCEA (collectively the “Retiree Association Parties”) have filed a proposed order approving a stipulation with the City of Detroit for the limited purpose of extending the Retiree Association Parties’ deadline to file a brief in support of confirmation to July 29, 2014 and authorizing the Retiree Association Parties to file a supplemental response brief on or before August 8, 2014, attached hereto as Exhibit 1.

Dated: July 20, 2014

Respectfully submitted,

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*Attorneys for the Retiree Association Parties.*

## **CERTIFICATE OF SERVICE**

I, Thomas R. Morris, hereby certify that the foregoing document was filed and served via the Court's electronic case filing and noticing system on July 20, 2014.

By: Thomas R. Morris  
Thomas R. Morris

## **EXHIBIT 1**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9

Case No. 13-53846

Hon. Steven W. Rhodes

**ORDER APPROVING THE STIPULATION MODIFYING THE  
DEADLINE FOR THE RETIREE ASSOCIATION PARTIES TO FILE  
THEIR BRIEF IN SUPPORT OF CONFIRMATION OF THE  
CITY'S PLAN FOR THE ADJUSTMENT OF DEBTS**

The Stipulation Modifying Deadline for the Retiree Association Parties To File Their Brief in Support of Confirmation of the City's Plan for the Adjustment of Debts (the "Stipulation"), attached hereto as **Exhibit A**, having been entered into by the City of Detroit and the Retiree Association Parties, the Court having reviewed the Stipulation; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Stipulation is APPROVED.

## **EXHIBIT A**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

Chapter 9

Case No. 13-53846

Hon. Steven W. Rhodes

**STIPULATION MODIFYING DEADLINE FOR THE RETIREE  
ASSOCIATION PARTIES TO FILE THEIR BRIEF IN SUPPORT  
OF CONFIRMATION OF THE CITY'S PLAN FOR  
THE ADJUSTMENT OF DEBTS**

This Stipulation is made by and among the City of Detroit (the “City”) on the one hand and, on the other, The Detroit Retired City Employees Association (“DRCEA”), the Retired Detroit Police and Fire Fighters Association (“RDPFFA”), Donald Taylor, individually and as president of the RDPFFA, and Shirley V. Lightsey, individually and as president of the DRCEA (collectively the “Retiree Association Parties” and with the City, the “Parties”). By and through each of their undersigned counsel, the Parties have reached an agreement with respect to, and request the entry of an order approving, the following:

**RECITALS**

A. The City has reached an agreement in principle, documented by executed term sheets, with the RDPFFA and DRCEA regarding the treatment of

“Pension Claims” and/or “OPEB Claims” (as such terms are defined in the Fourth Amended Plan for the Adjustment of Debts of the City of Detroit (May 5, 2014) (Docket No. 4392) (the “Plan”))<sup>1</sup> as described in the Plan and/or the Disclosure Statement, provided that (1) both Classes 10 and 11 vote to accept the Plan (and, with respect to certain of the Non-City Parties, Class 12); and (2) the funding contemplated by the State Contribution Agreement and the DIA Settlement is actually committed, subject to the fulfillment of the conditions that accompany such funding (the “Funding Commitments”). Nothing herein is intended to alter, amend, or expand the terms of those agreements. Further, the Retiree Association Parties reserve the right to ensure that the final plan of adjustment (yet to be filed) is consistent with the terms sheets of the DRCEA and RDPFFA.

B. The City and certain of the Retiree Association Parties executed a stipulation dated May 9, 2014 (the “Original Stipulation”) that modified certain deadlines established by this Court’s Fourth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor’s Plan of Adjustment (Docket No. 4202) (the “Fourth Amended Scheduling Order”). The Original Stipulation was approved by Order of the Court entered on May 9, 2014 (Docket No. 4587). The Original Stipulation contained dates for certain of the

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<sup>1</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the Plan, the Scheduling Orders or in the June Stipulation (defined below).



Retiree Association Parties to file and serve various papers and pleadings, including objections to confirmation and expert reports, which dates varied depending on certain contingencies, namely (a) the “Funding Commitments” and (b) Classes 10, 11 and 12 support for the Plan.

D. On June 9, 2014, the Court entered its Fifth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor’s Plan of Adjustment (Docket No. 5259) (the “Fifth Amended Scheduling Order”).

F. Pursuant to the First Amended Stipulation Modifying Certain Plan Discovery and Pleading Deadlines for Certain Non-Debtor Parties filed on June 20, 2014 [Docket No. 5473] (the "June Stipulation"), the City and certain of the Retiree Association Parties agreed that if on or before July 21, 2014, a tally of votes is filed in the Court showing that (a) Classes 10, 11, and 12 have voted to accept the Plan and (b) the Plan has not been materially modified to the detriment of Holders of Claims in Class 10, 11, or 12, then the Retiree Association Parties that were party to the June Stipulation may file in Court its brief supporting confirmation on June 22, 2014, among other pleadings and reports. The Court entered an Order approving the Stipulation on June 20, 2014 [Docket No. 5482].

G. At present, voting on acceptance or rejection of the Plan by all creditor classes, including Classes 10, 11, and 12 has been substantially completed, but the outcome is not known. The official tally of such vote is scheduled to be

filed with the Court on or before July 21, 2014. Assuming Classes 10, 11 and 12 have voted to accept the Plan, the Retiree Association Parties have requested an additional week to file a brief in support of confirmation of the Plan in order to properly address issues that have been raised by creditors and other parties, particularly as those issues arise under section 1129(b) of the Bankruptcy Code if one or more creditor classes reject the Plan. The Retiree Association Parties also requested the right to supplement the brief in support of confirmation if additional objections to the treatment of retiree claims are filed on or about August 5, 2014.

H. In addition, the City plans to file an amended Plan in the near future, which may include additional provisions that affect the Retiree Association Parties and the claims of the retirees.

I. In light of the above circumstances, the Parties have agreed to seek a revision of the deadline set forth in the June Stipulation to extend the Retiree Association Parties' time to file their brief in support of confirmation until July 29, 2014 and to provide the opportunity for the Retiree Association Parties to file a reply on August 8, 2014 to any supplemental objections to the treatment of retiree claims filed on or before August 5, 2014.

J. On July 18, 2014, the Court entered an order (Docket No. 6132) approving a stipulation between the Official Committee of Retirees and the City,

which sets forth extended deadlines that are identical to the dates and deadlines agreed to between the Retiree Association Parties and the City.

### **STIPULATION**

NOW, THEREFORE, it is hereby stipulated and agreed by and among the Parties, through their undersigned counsel:

1. The Retiree Association Parties may file and serve its brief in support of confirmation of the City's Plan on or before July 29, 2014.
2. The Retiree Association Parties may file and serve its brief in response to supplemental objections that are filed against retiree claims on or before August 8, 2014
3. The provisions of the Fifth Amended Scheduling Order and the June Stipulation remain in full force and effect, except as modified by this Stipulation.

Dated: July \_\_, 2014

Respectfully submitted,

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*Attorneys for the City of Detroit*

### **CERTIFICATE OF SERVICE**

I, Thomas R. Morris, hereby certify that the foregoing document was filed and served via the Court's electronic case filing and noticing system on July 20, 2014.

By: /s/ Thomas R. Morris  
Thomas R. Morris